

areas. This technology will allow small businesses around New York to compete for customers around the globe.

We have seen how one small business has worked with several communities to bring free wireless internet service to nine cities in Eastern Oregon. The service is now being used to track cargo shipments on the Columbia River, monitor a munitions depot, and has improved the efficiency of the police department.

I have spent the last few moments talking about the joys and challenges felt by rural America.

As I've cited in examples today from Elko and Ely, Nevada, rural communities are coming together to create new opportunity themselves. But we here in Washington need to do everything we can to help them succeed.

We need solutions that make sense for the whole country—not just for Washington, D.C., but for places like Winnemucca, and Aurora, NE.

We can do it. And we'll be a better, stronger nation as a result.

BOXING

Mr. REID. Mr. President, I rise today to honor a momentous occasion in the history of Nevada and one of my favorite pastimes: boxing.

This September 16, 2006, marks the 100th anniversary of the longest boxing match in history fought under Queensbury rules. For more than 3 hours, 2 of the greatest boxers in the country squared off for 42 rounds in the booming mining community of Goldfield, NV. This fight's tremendous length might be important to the "Guinness Book of World Record," but for Nevada, it was also an important moment in race relations during a tumultuous period in our country's history.

Boxing promoters throughout the country billed the fight as one of epic proportions. Oscar Battling Nelson was one of the toughest fighters in the land. He was nicknamed "The Durable Dane" for his resilient and hard-hitting style. Rather than defeat his opponents with skill, Nelson preferred to absorb the blows of his opponents and outlast them in the ring. One biographer even went so far as to say that Nelson "gave new meaning to the word tough."

With such fabled abilities, Nelson was the early favorite to defeat his opponent, a 32-year-old African American named Joe Gans. The Baltimore native was the reigning lightweight champion and the first American-born Black man to win a boxing title. His style was a sharp contrast to The Durable Dane: Gans was quick and fast on his feet and known as "The Old Master." Rather than relying on brute strength, Gans tried to beat his opponents with skill.

Such a marquee match-up was a boxing promoter's dream and was expected to promote gold stock in the area. With a record \$30,000 purse prize, the fight brought national attention to Goldfield, the largest city in Nevada at the

time. But a sharp issue hung over the bout like an ominous cloud. That was the issue of race.

Before the fight began, rumors floated that Gans had thrown fights as a youth in Baltimore. So persistent were the rumors that Gans' promoter, a local saloon owner named Larry Sullivan, feared for his safety should his fighter lose. Others worried that a win by Gans could start a riot in the town.

The hostility of the town quickly evaporated once the citizens of Goldfield had an opportunity to meet Joe Gans. It was his unassuming manner—and some say a love of the craps tables—that endeared Gans to the town. Prefight negotiations only served to steer more public support to Gans' corner. Gans gave into every one of Nelson's demands, including lowering his own share of the \$30,000 purse to \$11,000 win or lose. He also agreed to drop his weight to 133 pounds—well below his normal fighting weight of 142 pounds.

The change in support was clearly evident to referee George Siler. He wrote: "The men who wield the pick think that Gans has been imposed upon by Nelson's manager, and they want to see him win." The Goldfield News reported the shift in support saying "... the camp finds itself in the unique position of wishing to see a Negro defeat a white man." By the start of the fight, the odds were 2-1 in favor of Gans.

The fight started in the afternoon under the hot Nevada sun. Some estimates place the ringside temperatures at more than 100 degrees. Nevertheless, more than 6,000 people—and an unprecedented 1,500 women—paid the pricey sum of \$5 to watch the fight.

Surely, none of the spectators knew that they would witness one of the greatest fights in history. As usual, Nelson tried to outlast his opponents' barrage of uppercuts, hooks, and jabs. By the end of the seventh round, Nelson was bleeding from both ears and Gans knocked him to the mat. But the Durable Dane would not give up. He tried to pin Gans against the ropes, and again Gans knocked him to the mat in the 15th round. Nelson bounced back, winning the next three rounds. After almost 20 rounds, the sun began to set over the Columbia Mountain and it was clear that the fighters were tired.

But neither man would yield. Gans broke his hand in the 27th round but refused to go down. He continued to fight back against Nelson, showing little sign of the injury. At the end of the 30th round, Nelson hit Gans after the bell, causing uproar in the crowd. The referee, who had warned Nelson about fouls throughout the fight, gave him yet another warning. Finally, the Durable Dane began to lose his famed endurance, while Gans continued to pummel him. In the 42nd round, Nelson landed an intentional low blow on Gans. The referee called the fight in Gans' favor.

The telegraph wires carried the result of the fight across the country. And the town's support for Gans held

strong. That night, the residents of Goldfield did not see Black or White: They saw a winner. Joe Gans, with his modest manner and stylish boxing, had won the town over. Siler wrote: "Goldfield is a vast camp of hero worshippers tonight, and its hero is Joe Gans . . ."

This Saturday, the boxing clubs from the University of Nevada, Reno, and the University of Nevada, Las Vegas, will fight 42 rounds in honor of the Nelson-Gans match. The sounds of the closing bell for each of those 42 rounds will be from the original 1906 bell from the fight. And later that evening in nearby Tonopah, the audience will be able to watch video footage of the historic bout.

Mr. President, the accomplishments of Joe Gans and the citizens of Goldfield are worthy for recognition before the Senate. I am pleased have the opportunity to honor this important anniversary today.

CHANGING THE TIDE

Mr. LEVIN. Mr. President, as Detroit residents cope with a rise in homicides and shootings this year, city police are joining with other law enforcement agencies in an effort to stem gun-related violence through a new program. Operation Tactical Intelligence Driven Enforcement, or TIDE, was established to help determine crime patterns, identify the city's most violent offenders and ultimately prevent crime in the city of Detroit.

Operation TIDE, which began on May 5, 2006, in the Detroit Northwestern police district, involves the coordination of 10 Federal, State and local agencies. It is designed to use the expertise of each agency to better track and share intelligence on dangerous criminals. The U.S. Attorney's Office, Wayne County Prosecutor's Office, Wayne County Sheriffs Office, U.S. Marshals Service, Federal Bureau of Investigation, Michigan State Police and U.S. Drug Enforcement Administration are all involved in the project. To date, 115 people tied to gun crimes and gang violence have been arrested. The program is funded by a \$600,000 grant through the Federal Project Safe Neighborhoods campaign against guns and gang violence and is currently being expanded into the other three police districts.

Operation TIDE expands upon the current Project Safe Neighborhoods initiative strategy of suppression, deterrence, prevention/intervention, investigation, prosecution and public awareness. Project Safe Neighborhoods is a long-term campaign that has assisted in taking many violent offenders off the streets of Detroit. Since its inception in 2001, Project Safe Neighborhoods has played an important role in a 34 percent reduction in violent crime and a 73 percent increase in firearm prosecutions nationally. In the Detroit area, it has resulted in more than 800 Federal gun prosecutions. Project Safe

Neighborhoods public awareness campaign has resulted in hundreds of tips leading to prosecution.

Ella Bully-Cummings, chief of the Detroit Police Department, described Operation TIDE by saying:

Our strategy is to supercharge our crime prevention and enforcement efforts to reduce violent crimes using the intelligence and resources of all law enforcement agencies. Our police officers work every day at addressing active and potential crime in our city limits. By collecting and disseminating the acquired intelligence among partnering agencies, crime patterns will be swiftly identified.

I would like to take this opportunity to thank all the Federal, State, and local law enforcement officials for their outstanding service and their vital contributions to the safety of our communities. Their commonsense approach plays a significant role in decreasing gun violence. I am hopeful that the 109th Congress will do more to support their efforts by taking up and passing sensible gun safety legislation.

NSA-RELATED BILLS AND PROPOSED CHANGES TO WAR CRIMES ACT

Mr. LEAHY. Mr. President, earlier today the President visited Capitol Hill for a closed-door meeting with House Republicans. It is not often the President takes time out of his busy schedule to come to Congress. But to meet only with Republicans is wrong and divisive.

After his closed door meeting, the President talked about working together, in a bipartisan way. His walk does not match his talk. I wish he would act as a uniter and work with all of us on behalf of all Americans. Regrettably, it appears that, once again, this President has chosen to act in a partisan way in his role as Republican-in-Chief. That is wrong.

I hope that all Senators will recognize their responsibility to all Americans and exercise their best independent judgment, rather than taking orders from the head of their political party.

In the Judiciary Committee yesterday, Senators did exercise that kind of independent judgment when we joined together in a bipartisan way to report a bipartisan bill that would amend the Foreign Intelligence Surveillance Act and reign in the Administration's warrantless domestic wiretapping program. That bill, S. 3001, the bill cosponsored by Senator SPECTER and Senator FEINSTEIN, was the only proposal that drew bipartisan support. I urge the Majority Leader to recognize the merits of that bill and our bipartisan efforts by moving to proceed to that bill when the Senate turns its attention to these matters.

This bipartisan bill was authored by Senator FEINSTEIN, one of the few Senators being briefed on the President's program of domestic surveillance without warrants. It is intended to ensure our intelligence community can pro-

tect our nation with the necessary court oversight. It will bring the President's program within the law.

It stands in stark contrast to the White House-endorsed bill that grants sweeping authority to the Executive Branch for a program about which we know very little. The Bush-Cheney Administration has refused Congress's requests for information. Since when did Congress become an arm of the Executive Branch? Since when was the Senate reduced to a rubberstamp? Oversight means accountability. Oversight makes Government work better. It prevents abuses and corruption. We need Government to be as competent and accountable as it can be in fighting terrorism.

I have been attempting to clarify the facts and the law relating to the Administration's warrantless wiretapping program since it was first disclosed in December 2005. During the ensuing eight months, we have made numerous efforts to get straight answers from the Administration regarding the nature, scope and purported legal basis of this program. Our efforts were rebuffed by the most flagrant and disrespectful stonewalling of any Administration that I have seen in my 32 years in Congress.

While refusing to answer even our most basic questions about its secret spying program, the Administration claimed that Congress approved the program when it authorized the use of military force in Afghanistan—although Attorney General Gonzales had to admit that this was an “evolving” rationale not present at the time Congress considered its action. The Administration claimed that even if they violated the Foreign Intelligence Surveillance Act, the President's powers and their view of the “unitary executive” must trump the law and the authority of Congress. Not since the rationalization of Richard Nixon for actions during the White House horrors and Watergate scandal have we heard such a claim. And, of course, the Administration claimed it had all the authority it needed and no new legislation was needed.

The bill the Chairman negotiated with the White House, in my view, contains several fundamental flaws:

The bill makes compliance with FISA entirely optional, and explicitly validates the President's claim that he has unfettered authority to wiretap Americans in the name of national security. In other words, it suggests that FISA is unconstitutional—a claim for which there is no judicial precedent and very little academic support—and invites the President to ignore it.

The bill abandons the traditional, case-by-case review contemplated by FISA and introduces the concept of “program warrants.” If that novel concept is constitutional—which I doubt—a single FISA court judge could approve whole programs of electronic surveillance that go far beyond the President's program.

The bill immunizes from prosecution anyone who breaks into a home or office in the United States to search for foreign intelligence information, if he is acting at the behest of the President. I would have thought that electronic surveillance is a large enough area to address in one bill. But apparently, the Administration was unwilling to address electronic surveillance without also reaching for new powers to break into Americans' homes.

We should not grant that kind of blank check to the Executive for a secret program we know little about. Instead, we should consider the bipartisan alternative the Judiciary Committee has endorsed. The Specter-Feinstein bill is an approach that seeks accountability while ensuring tools to mount a strong fight against terrorism.

The Majority Leader has an opportunity to unite the Senate and Americans around this smarter, stronger proposal that will help protect Americans as well as the values that we hold dear as a Nation. I hope that he seizes that opportunity.

On a related note, I was a little surprised to hear the Chairman say earlier today that the Judiciary Committee was forwarding proposed language changes to the War Crimes Act to the Armed Services Committee. I agree with the Chairman that amending the War Crimes Act is a matter in the jurisdiction of the Judiciary Committee, but I am very concerned about the way in which this important issue has come up.

The Chairman announced yesterday in the middle of a special business meeting that the Committee would be discussing a proposal. That was news to me and the other Democratic members of the Committee, who had not seen nor heard of the proposal. The Chairman said that a bill had been distributed Tuesday afternoon, but Democrats were not included in any such distribution.

This is a very serious issue. It certainly requires meaningful review and input from Senators of both parties. It is a subject about which I care a great deal about.

This issue is being considered by the Armed Services Committee. Senator WARNER is working with Senator LEVIN, and all members of that Committee. I understand that they are also consulting with the top military lawyer, who have been ignored by this Administration. I have seen the letters from GEN Powell and GEN Vessey on the importance of upholding our treaty obligation and acting in the best interests of protecting Americans throughout the world.

GEN Powell wrote: The world is beginning to doubt the moral basis of our fight against terrorism. To refine Common Article 3 would add to those doubts. Furthermore, it would put our own troops at risk. He speaks from the perspective of a former chairman of the Joint Chiefs of Staff and a former Secretary of State.